

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Christopher J. Diorio et al.
SERIAL NO.: 10/823,991
FILING DATE: April 13, 2004
TITLE: Adaptable Bandwidth RFID Tags
EXAMINER: Unassigned
ART UNIT: 2632

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class
Mail in an envelope addressed to: MAIL STOP: MISSING PARTS, Commissioner for Patents, P.O. Box
1450 Alexandria, VA 22313-1450, on the date printed below.

Date:

8/24/04

Name:

Beatrice Orozco
Beatrice Orozco

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Responsive to the Notice to File Missing Parts dated **June 24, 2004**, please find the following:

1. Declaration and Power of Attorney executed by the inventor(s);
2. Enclosed is our check in the amount of \$1,656.00 for the filing fee and surcharge for assignee as a large entity calculated as follows:


Basic filing fee - Fee Code 1001	\$ 770.00
42 additional claims in excess of twenty - Fee Code 1202	\$ 756.00
Surcharge - Fee Code 1051	\$ 130.00
Total	\$ 1,656.00

3. Copy of Notice to File Missing Parts

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: August 24, 2004



David B. Ritchie
Reg. No. 31,562

THELEN REID & PRIEST LLP
P.O. Box 640640
San Jose, CA 95164-0640
Telephone: (408) 292-5800
Fax: (408) 287-8040

AUG 27 2004

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM


(to be used for all correspondence after initial filing)

		Application Number	10/823,991
		Filing Date	April 13, 2004
		First Named Inventor	Christopher J. Diorio
		Art Unit	2632
		Examiner Name	Unassigned
Total Number of Pages in This Submission	23	Attorney Docket Number	IMPJ-0085

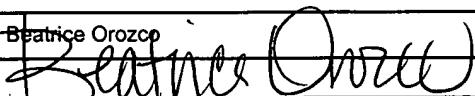
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="text-align: center;">Withdrawal of Claim to Small Entity Status (2 pages).</p>
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> Remarks </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David B. Ritchie, Reg. No. 31,562
Signature	
Date	24 August 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Beatrice Orozco	Date	8/24/04
Signature		Date	8/24/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,991	04/13/2004	Christopher J. Diorio	IMPJ-0085

David B. Ritchie
 THELEN REID & PRIEST LLP
 P.O. BOX 640640
 SAN JOSE, CA 95164-0640

CONFIRMATION NO. 4991

FORMALITIES LETTER



OC000000013050963

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$378 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$828 for a Small Entity

08/30/2004 FFAHRIA2 00000080 10823991

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

01 FC:1001
 02 FC:1051
 03 FC:1202


770.00 OP
 130.00 OP
 756.00 OP

- Total additional claim fee(s) for this application is \$378

- \$378 for 42 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE